

**CLERK'S RESUME OF PROCEEDINGS  
CIVIL NON-JURY PROCEEDINGS**

John Richard Beach, Individually and on  
Behalf of All Others Similarly Situated

CASE #3:08-0569 Judge Campbell  
(Consolidated / Lead Case)

VS.

Dated: October 2, 2009

Healthways, Inc., et al.

NATURE OF PROCEEDING:

Motion Hearing

COURT REPORTER:

Cathy Leigh

PLAINTIFF'S ATTORNEY(S):

George Barrett / Douglas Johnston, Jr.  
Scott Saham / Thomas Egler

DEFENDANT'S ATTORNEY(S):

John Latham / Brian Roark

COMMENTS: This hearing was held on the Lead Plaintiff's Motion (#93) for Class Certification.  
Order to enter w/in the week

KEITH THROCKMORTON  
CLERK, U.S. DISTRICT COURT  
Doris E. Bush, Deputy Clerk

TIME UTILIZED: 9:00 - 10:37